

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE:

**EFRAIN A. RIVERA SOLER
BRENDA L. NIEVES CASTRO

DEBTORS**

CASE # 09-09654 ESL

CHAPTER 11

SMALL BUSINESS

ANSWER TO ORDER AND MOTION TO DISMISS

TO THE HONORABLE COURT:

HERE COMES Debtor through the undersigned attorney and respectfully requests and prays for the following:

1. On April 15, 2011 debtors received an order from this Honorable Court to answer attorney Enrique M. Almeida's motion to dismiss the instant case.
2. Creditor Enrique M. Almeida alleged debtors had not filed their amended disclosure statement and plan of reorganization since they pretended to escape payment of his administrative claim.
3. Creditor's allegations are frivolous and unfounded.
4. Since the undersigned assumed debtors' legal representation new negotiations have been reinitiated with creditors.
5. In order to provide for the retention of their real properties and the continuation of their businesses these agreements needed to be included in their plan of reorganization.
6. For this reason the filing of their amended plan entailed new

proposals and the amendment of almost the entirety of the treatment of creditors in their plan of reorganization.

7. For these reasons debtors request this Honorable Court to deny creditor's motion for dismissal and allow debtors to continue with the instant case.

WHEREFORE, Debtor prays for an Order granting this motion with any other relief that in accordance to law this Honorable Court deems just and proper.

I CERTIFY that this motion has been electronically filed with the Clerk's Office using CM/ECF and that a copy of the same was forwarded to: US Trustee and all other parties in interest.

In Caguas, Puerto Rico, this 26th day of April of 2011.

**VICTOR GRATACOS DIAZ LAW
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